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May 25, 1999

INTERVENTION

Ms. Nancy Kole  
Docket Control Division  
Arizona Corporation Commission  
1200 West Washington  
Phoenix, Arizona 85007

RE: Docket Nos. E-01345A-98-0473; E-01345A-97-0773; RE-00000C-94-0165

Dear Ms. Kole:

Enclosed for filing are the original and ten (10) copies of PG&E Energy Services Corporation's Application for Leave to Intervene in the above matters. I have also enclosed an additional copy to be conformed and returned to my office in the enclosed self-addressed and stamped envelope.

Please let me know if you have any questions regarding the enclosed materials.

Very truly yours,

Lawrence V. Robertson, Jr.

LVR:djb

Enclosures

cc: Doug Oglesby, PG&amp;E Energy Services

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BEFORE THE ARIZONA CORPORATION COMMISSION

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CARL J. KUNASEK  
Commissioner-Chairman  
JIM IRVIN  
Commissioner  
TONY WEST  
Commissioner

IN THE MATTER OF THE APPLICATION  
OF ARIZONA PUBLIC SERVICE  
COMPANY FOR APPROVAL OF ITS  
PLAN FOR STRANDED COST RECOVERY

DOCKET NO. E-01345A-98-0473

IN THE MATTER OF FILING OF  
ARIZONA PUBLIC SERVICE COMPANY  
OF UNBUNDLED TARIFFS PURSUANT  
TO A.A.C. R14-2-1601 ET SEQ.

DOCKET NO. E-01345A-97-0773

IN THE MATTER OF COMPETITION  
IN THE PROVISION OF ELECTRIC  
SERVICES THROUGHOUT THE STATE  
OF ARIZONA

DOCKET NO. RE-00000C-94-0165

APPLICATION OF PG&E ENERGY SERVICES CORPORATION  
FOR LEAVE TO INTERVENE

Pursuant to A.A.C. R14-3-105, PG&E Energy Services Corporation ("Applicant") hereby  
submits this Application For Leave To Intervene ("Application") in the above-captioned  
proceedings. In support of its Application, Applicant submits the following:

...

...

I.  
**IDENTITY AND NATURE OF APPLICANT'S  
INTEREST IN THE SUBJECT PROCEEDINGS**

Applicant is a wholly owned subsidiary of PG&E Corporation, an energy based holding company headquartered in San Francisco, California. Applicant is also a nation-wide marketer of retail energy services and products; and was certificated by the Commission in its Decision Nos. 61303 and 61496 as an Electric Service Provider to provide the competitive services therein authorized in Arizona's emerging competitive retail electric market. In fact, Applicant was the first new entrant to be so certificated.

By reason of the foregoing, Applicant is directly and substantially affected by any Commission action(s) and approval(s) which govern or determine the terms and conditions under which competition in electric generation and other competitive services is to be introduced in the State of Arizona. The May 14, 1999 Settlement Agreement filed by Arizona Public Service Company ("APS") on May 17, 1999, by its very terms, contemplates and requires such action(s) and approval(s) by the Commission. In addition, the May 17, 1999 Notice of Filing and Application For Approval submitted with the Settlement Agreement expressly states

"The parties . . . entered into the Settlement Agreement for the purpose of agreeing upon terms and conditions for the introduction of competition in generation and other competitive services [in the service area of the largest Affected Utility in the state]" [see Notice at page 1] [emphasis added]

As a consequence, Applicant and its interest as a state-wide certificated Electric Service Provider are directly and substantially affected by any proceedings the Commission may conduct,

1 and any action(s) and approval(s) it may undertake or issue, in the above-captioned proceedings with  
2 reference to the May 14, 1999 Settlement Agreement and the May 17, 1999 Notice of Filing and  
3 Application For Approval.

4  
5 **II.**  
6 **APPLICANT'S INTERVENTION AND PARTICIPATION**  
7 **WILL NOT UNDULY BROADEN THE ISSUES**

8 The issues and matters which Applicant desires to address are presented by the provisions  
9 of the Settlement Agreement itself. Applicant does not envision that its intervention and  
10 participation will unduly broaden those issues which the Commission will be required to resolve  
11 incident to a determination as to whether the Settlement Agreement should be approved, modified  
12 or rejected.

13 **III.**  
14 **NO OTHER PARTY OR PARTICIPANT HAS INTERESTS OR**  
15 **POSITIONS SUBSTANTIALLY SIMILAR TO APPLICANT**

16 In a competitive market environment, no two competitors have substantially similar interests  
17 or positions. This is particularly true when that market environment is still in an embryonic stage,  
18 as is the situation in Arizona at present. Moreover, none of the signatory parties to the Settlement  
19 Agreement have interests and positions substantially similar to Applicant within the context of the  
20 Settlement Agreement itself. APS's (and it parent and affiliates) interest(s) and position(s) are those  
21 of a competitor to Applicant. The Residential Utility Consumer Office and the Arizona Community  
22 Action Association represent predominantly a residential consumer perspective. Arizonans For  
23 Electric Choice and Competitive represents predominantly an industrial and commercial consumer  
24 perspective. Only Applicant is in a posture to speak for or adequately represent its particular  
25 interest(s) and position(s)  
26  
27  
28

WHEREFORE, PG&E Energy Services Corporation (i) believes it has clearly satisfied the prerequisites governing intervention specified in A.A.C. R14-3-105, and (ii) hereby requests that it be allowed to intervene and fully participate in any and all proceedings conducted in the above-captioned dockets in connection with the May 14, 1999 Settlement Agreement and the May 17, 1999 Notice of Filing and Application For Approval.

DATED this 24th day of May, 1999.

Respectfully submitted,

PG&E Energy Services Corporation

By Lawrence V. Robertson, Jr.

Lawrence V. Robertson, Jr.  
MUNGER CHADWICK, P.L.C.  
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333 North Wilmot, Suite 300  
Tucson, Arizona 85711

A copy of the foregoing  
mailed this \_\_\_\_ day of  
May, 1999, to:

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Phoenix, AZ 85007

Lawrence V. Robertson, Jr.